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8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 BENJAMIN SAUL STEWART,  
15 Defendant.

Case No. 2:19-mj-164-EJY

**STIPULATION TO CONTINUE  
STATUS CHECK HEARING**  
(Fourth Request)<sup>1</sup>

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
18 Trutanich, United States Attorney, and Rachel Kent, Special Assistant United States Attorney,  
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,  
20 and Katherine A. Tanaka, Assistant Federal Public Defender, counsel for Benjamin Saul  
21 Stewart, that the Status Check Hearing currently scheduled on August 25, 2020 at 1:30 p.m., be  
22 vacated and continued to a date and time convenient to the Court, but no sooner than ninety  
23 (90) days.  
24  
25

26  
<sup>1</sup> This is the first filed, stipulated request for a continuance. The Court has granted three prior orally-requested continuances. ECF Nos. 19–21.

1 This Stipulation is entered into for the following reasons:

2 1. Mr. Stewart is homeless. Attempts to reach him have been unsuccessful.  
3 Defense counsel requests more time to continue attempts to get in contact with defendant and  
4 to allow defendant to complete all remaining court ordered conditions.

5 2. The defendant is not in custody.

6 3. The parties agree to the continuance.

7 This is the fourth stipulated request for a continuance of the status check hearing.

8 DATED this 24th day of August, 2020.

9  
10 RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

11  
12 By /s/ Katherine A. Tanaka

By /s/ Rachel Kent

13 KATHERINE A. TANAKA  
Assistant Federal Public Defender

RACHEL KENT  
Special Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 BENJAMIN SAUL STEWART,

7 Defendant.

Case No. 2:19-mj-164-EJY

**ORDER**

9  
10 IT IS THEREFORE ORDERED that the status check hearing currently scheduled for  
11 Wednesday, August 25, 2020, at 1:30 p.m. be vacated and continued to November 23, 2020  
12 at the hour of 2:00 p.m. in Courtroom 3C.

13 DATED this 25th day of August, 2020.

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15 \_\_\_\_\_  
16 UNITED STATES MAGISTRATE JUDGE